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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/010,763	11/02/2001	Isaiah J. Fidler	UTSC:684US/SLH	2999
<div>7590 06/19/2007 FULBRIGHT &amp; JAWORSKI L.L.P. A REGISTERED LIMITED LIABILITY PARTNERSHIP SUITE 2400 600 CONGRESS AVENUE AUSTIN, TX 78701</div>			<div>EXAMINER UNGAR, SUSAN NMN</div>	
			<div>ART UNIT 1642</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE 06/19/2007</div>	<div>DELIVERY MODE PAPER</div>

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Response to Rule 312 Communication</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/010,763	FIDLER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Susan Ungar	1642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

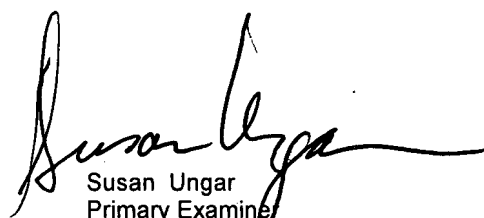
1. ☒ The amendment filed on 18 May 2007 under 37 CFR 1.312 has been considered, and has been:

- a) ☒ entered.
- b) ☒ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) ☐ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

  
**SHANON FOLEY**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 1600**

  
 Susan Ungar  
 Primary Examiner  
 Art Unit: 1642

Application/Control Number: 10/010,763

Art Unit: 1642

### **Petition Decision**

Applicant filed a petition under 37 CFR 1.84 for acceptance of color images as drawings on May 18, 2007.

37 CFR 1.84 states in-part:

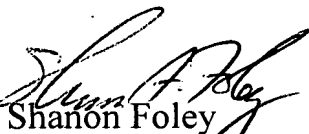
The Office will accept color drawings in utility or design patent applications and statutory invention registrations only after granting a petition filed under this paragraph explaining why the color drawings are necessary. Any such petition must include the following:

- (i) The fee set forth in § 1.17(h);
- (ii) Three (3) sets of color drawings;
- (iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

A review of the file history reveals that on May 18, 2007, Applicant filed a petition under 37 CFR requesting acceptance of color images as drawings and explained therein why the color images were necessary in that "The images depict colors for the purpose of illustrating aspects relevant to the claimed methods, devices and systems that cannot be adequately represented by traditional black and white drawings". In addition, Applicant (i) authorized the Office to charge the petition fee to Deposit Account Number 50-1212/UTSC:684US, (ii) supplied three sets of color drawings, (iii) amended the specification as required.

Having met the requirements of 37 CFR 1.84 for acceptance of color images as drawings, this petition is GRANTED.



Shannon Foley

SPE AU 1642

May 29, 2007